

REMARKS

Claims 1, 8, 11, 13-15, and 26 are amended. Claims 24, 25, 33, and 34 are cancelled by this amendment. Claims 1, 3-23, 26-32, and 35 are now pending in the application. The amendments to the claims as indicated herein do not add any new matter to this application. Each issue raised in the Office Action mailed October 16, 2008 is addressed hereinafter.

I. ISSUES RELATING TO PRIOR ART

A. CLAIMS 1 AND 3-34

Claims 1 and 3-34 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over John et al (US Patent Pub. 2004/0088412) and further in view of Shah (US Patent Pub. 2003/0196003). The rejection is respectfully traversed.

Claim 1 recites “automatically performing the specified operation on a plurality of active routers in the cluster by **transforming the specified operation** into one or more **device-specific operations** for each of the plurality of active routers” (emphasis added). Claim 26 recites similar subject matter. In rejecting this portion of Claim 1, the Office Action (page 3) relies on John’s paragraphs 0092 and 0097, and Shah’s paragraph 0019.

John’s paragraphs 0092-0097 and FIG. 11 describe a Cluster Management Console as “a centralized tool to define, configure, administer and monitor the servers in a cluster. However, John does not disclose transforming a specified operation into device-specific operations. John refers to “configuring cluster parameters,” and “cluster configuration,” but John has no description that transformation occurs. Instead, it appears that John provides for centrally defining certain parameters of a cluster as a whole, and configuring individual servers, **but John does not provide a way to transform an operation for the cluster as a whole into a plurality of device-specific operations for each of the servers in a cluster**, as in claim 1. John’s administrator performs operations on a cluster using the Cluster Management Console, but without disclosing any transformation of those operations into any type of device-specific operations. The claimed transformation would not have been inherent in John, since a centralized tool could have provided for defining certain cluster parameters and could have

provided access to individual servers without providing the automated transformation of a whole-cluster operation into multiple device-specific operations as encompassed in the claim. For example, configuring a cluster parameter could involve naming the cluster; there would have been no need to transform the cluster name into individual device-specific operations for elements of the cluster. Thus, the references in John to cluster configuration cannot be read under any reasonable interpretation to disclose or suggest the claimed transformation.

Shah does not cure the deficiencies of John on this point. The Office Action relies on Shah solely to show multiple routers, not to show the claimed transformation.

Additionally, claim 1 recites transforming the specified operation into one or more **device-specific operations** for **each** of the **plurality of active routers**. Shah mentions routers solely as parts of a cluster interconnection fabric 202. Neither John nor Shah specifically describes performing separate device-specific operations for anything, either John's servers or Shah's routers. The entire Shah reference mentions the word "router" only once (paragraph 0019), while John does not mention routers at all, and there is no indication in John that a cluster operation can be transformed into device-specific operations for each of multiple servers. Accordingly, a combination of the references fails to teach the claimed approach of transforming a cluster-wide operation into "device-specific operations" performed on each of multiple routers.

Claim 1 also recites a cluster comprising "a first switch device, the plurality of active routers, one or more standby routers, and a second switch device". In rejecting this portion of Claim 1, the Office Action (page 3) states that Shah discloses a cluster consisting of a plurality of routers and switches (paragraph 0019). This is incorrect. Shah states that hosts, an I/O unit and a controller may be organized into clusters, with each cluster including one ore more hosts and typically one or more I/O units (and corresponding I/O controller), which are *interconnected by* the cluster interconnection fabric 202 (paragraph 0019). Thus, Shah's fabric 202 is not *part of* the cluster, but is used only to *interconnect* other elements *within* the cluster. Thus, Shah's routers are not part of the cluster, and Shah has no other description of the specific claimed cluster combination.

For at least the above reasons, the rejections of Claims 1 and 3-34 under 35 U.S.C. §103 are unworkable. The rejections of all dependent claims, which incorporate by reference at least one independent claim discussed above, are also unworkable for the same reasons given above for the independent claims. Reconsideration is respectfully requested.

Claim 35 was rejected under 35 U.S.C. § 103 as unworkable over a variety of references using John and Shah as base references. However, Claim 35 depends from other claims which recite elements or steps which as shown above are neither disclosed nor suggested by any combination of prior art, either by John, Shah, or by any other reference. The secondary references do not cure this deficiency, and therefore any combination of the secondary references cannot provide the complete combination of features recited in Claim 35.

II. CONCLUSIONS & MISCELLANEOUS

For the reasons set forth above, all of the pending claims are now in condition for allowance. The Examiner is respectfully requested to contact the undersigned by e-mail or telephone relating to any issue that would advance examination of the present application. As per MPEP Chapter 5, Applicant acknowledges that Internet communications may not be secure.

A petition for extension of time, to the extent necessary to make this reply timely filed, is hereby made. If applicable, a check for the petition for extension of time fee and other applicable fees is enclosed herewith. If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to charge any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Christopher M. Tanner
Reg. No. 41,518

Dated: January 14, 2009

ctanner@hptb-law.com
2055 Gateway Place Suite 550
San Jose, California 95110-1093
Telephone No.: (408) 414-1238
Facsimile No.: (408) 414-1076